

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

In re:
KENNETH EARLE JOHNSON
xxx-xx-3730
PO Box 210802
Nashville TN 37221
Debtor.

Bkr. No. 3:16-bk-03432
Chapter 13
Judge Marian F. Harrison

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: **October 28, 2017**
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: **November 8, 2017 at 8:30 a.m. in Courtroom 1 , Customs House, 701 Broadway, Nashville, Tennessee 37201**

NOTICE OF MOTION TO SUSPEND PAYMENTS AND REFUND FUNDS TO DEBTOR

Debtors have asked the court for the following relief: suspend payments temporarily and refund funds to debtor.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion, or if you want the court to consider your views on the motion, then on or before **October 28, 2017**, you or your attorney must:

1. File with the court your written response or objection explaining your position. PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 p.m.

2. **Your response must state that the deadline for filing responses is October 28, 2017, the date of the scheduled hearing is November 8, 2017 and the motion to which you are responding is Motion to Suspend Payments and Refund Funds to Debtor.** If you want a file stamped copy returned, you must include an extra copy and a self-addressed, stamped envelope.
3. You must also mail a copy of your response to:
Rabin Nimmo, Esq Attorney for Debtor 6920 Harpeth Glen Trace Nashville, TN 37221
United States Trustee 701 Broadway Rm 318 Nashville, TN 37201
Chapter 13 Trustee PO Box 190664 Nashville, TN 37219
KENNETH EARLE JOHNSON, PO Box 210802 Nashville TN 37221

If a timely response is filed, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's web site at www.tnmb.uscourts.gov.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Respectfully submitted:

/s/ Rabin P. Nimmo

RABIN P. NIMMO
Attorney for Debtor
6920 Harpeth Glen Trace
Nashville, TN 37221
(615) 244-2244
rabinnimmo@nimmolaw.com

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Judge Marian F. Harrison

MOTION TO SUSPEND PAYMENTS AND REFUND FUNDS TO DEBTOR

Comes the debtor by and through counsel and hereby moves the Court to suspend bankruptcy plan payments during the months of October, November, and December 2017, with payments to resume January 2018. All funds received and/or held by the Trustee during the suspension period shall be refunded to debtor, except those funds necessary to pay any ongoing child support claim. Disbursements on all other claims shall cease during the suspension period. Once payments resume, debtor's payments will remain unchanged. The impact of this plan on secured creditors is to delay payments for three (3) month. All other plan terms will remain unchanged.

As grounds, the debtor would show unto the Court that he has been diagnosed with an enlarged prostate that has required two medical procedures and will require two more medical procedures in November and December. As a result of his illness, debtor has been unable to work regularly. Furthermore, even though debtor had health insurance coverage, his medical expenses have been unusually high due to the portion of the medical costs that have been his responsibility. For these reasons, debtor is temporarily unable to afford his monthly plan payments, and needs all of his reduced income to cover his increased medical expenses. Debtor will not be able to resume those payments until January 2018.

This case was confirmed on August 17, 2016. The deadlines to file proof of claims have passed. Scheduled claims, proofs of which are not filed, or which claims are disallowed are subject to being discharged if the debtor completes the plan, except as specifically provided by law.

WHEREFORE, the Debtor requests that this motion be granted.

Respectfully submitted:

/s/ Rabin P. Nimmo

RABIN P. NIMMO

Attorney for Debtor

6920 Harpeth Glen Trace

Nashville, TN 37221
(615) 244-2244
(615) 256-4322 Facsimile
rabinnimmo@nimmolaw.com

CERTIFICATE OF SERVICE

I do hereby certify that true and exact copies of the attached documents have been placed in the United States Mail with sufficient postage and properly addressed to all parties on the attached matrix on October 7, 2017. A total of 51 copies of this document were mailed.

Respectfully submitted,

/s/ Rabin P. Nimmo

RABIN P. NIMMO

Auto Market, Inc. 277 White Bridge Rd. Nashville, TN 37209-3253
PRA Receivables Management, LLC POB 41067 NORFOLK, VA 23541-1067
World acceptance corporation Attn: Bankruptcy Processing Center PO Box 6429 Greenville, SC 29606-6429
AT&T Attn.: Officer, Manager or Agent PO Box 105503 Atlanta GA 30348-5503
Ace Payday Loan Attn.: Officer, Manager or Agent 5513 Charlotte Pk Nashville TN 37209-3210
Advance America Attn.: Officer, Manager or Agent 3736 Annex Ave Ste 102 Nashville TN 37209-4375
Anesthesia Medical Group PC c/o NAB PO Box 198988 Nashville TN 37219-8988
Auto Market Attn.: Officer, Manager or Agent 277 White Bridge Pk Nashville TN 37209-3253
Bordeaux Long Term Care c/o Robinson Reagan & Young 446 James Robertson Pkwy #200 Nashville TN 37219-1533
Capital One Attn.: Officer, Manager or Agent PO Box 70886 Charlotte NC 28272-0886
Care Credit Medical c/o Synchrony Bank PO Box 960061 Orlando FL 32896-0061
Cash Express, LLC 345 South Jefferson Avenue, Suite 300 Cookeville, TN 38501-3456
Cash Net USA Attn.: Officer, Manager or Agent 175 W Jackson Blvd Ste 1000 Chicago, IL 60604-2863
Cashville Attn.: Officer, Manager or Agent 236 5th Ave N Nashville TN 37219-1909
Check Into Cash PO Box 550 Cleveland, TN 37364-0550
Citizens Savings and Loan Attn.: Officer, Manager or Agent 113 Murfreesboro Rd Ste 112 Franklin TN 37064
Credit One Bank Attn.: Officer, Manager or Agent PO Box 60500 City of Industry CA 91716-0500
Davidson County Gen Sess Ct Clerk Attn.: Officer, Manager or Agent PO Box 196300 Nashville TN 37219-6300
Doral Homeowners Association c/o Robert Young Esq 4800 Charlotte Ave Nashville TN 37209-3412
Dream Team Oral Surg & Implant Spc Grp Attn.: Officer, Manager or Agent 1829 Jo Johnston Ave Nashville TN 37203-2870
EMERGENCY MEDICAL CONSULT MR C/O FOX COLLECTION CENTER PO BOX 528 GOODLETTSVILLE, TN 37070-0528
Easy Money/Buckeye Finance Attn.: Officer, Manager or Agent 350 White Bridge Rd Nashville TN 37209-3227
Evergreen Cash Advance Attn.: Officer, Manager or Agent 406 W Thompson Ln Nashville TN 37211-2213
First Premier Bank c/o CCB Credit Services Inc PO Box 272 Springfield IL 62705-0272
Gary J Smith MD PC 7640 Hwy 70 S Ste 201 Nashville TN 37221-1758
Guardian Eye Associates Attn.: Officer, Manager or Agent 4306 Harding Rd Ste 300 Nashville TN 37205-2286
HARPETH VALLEY UTILITIES DISTRICT 5838 RIVER RD NASHVILLE TN 37209-5605
Harpeth Financial Services, LLC c/o Glen Watson, Attorney P.O. Box 121950 Nashville, TN 37212-1950
InSolve Auto Funding, LLC, c/o Capital Recov Dept 3403 PO Box 123403 Dallas, TX 75312-3403
Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia PA 19101-7346
Iroquois Apartments c/o Rent Recovery Solutions 1945 The Exchange SE #120 Atlanta GA 30339-2062
LVNV Funding, LLC its successors and assigns assignee of FNBMC, LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587
MIDLAND FUNDING LLC PO Box 2011 Warren, MI 48090-2011
NES Attn.: Officer, Manager, or Agent 1214 Church Street Nashville TN 37246-0001
Nash Adjust Bureau Attn.: Officer, Manager or Agent PO Box 198988 Nashville TN 37219-8988
PIEDMONT NATURAL GAS ATTN CBO BANKRUPTCY 4339 SOUTH TRYON ST CHARLOTTE NC 28217-1733
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 41067 NORFOLK VA 23541-1067 preferred
Publix PB123 c/o DiMark Incorporated PO Box 161697 Altamonte Springs FL 32716-1697
Quantum3 Group LLC as agent for PO Box 788 Kirkland, WA 98083-0788
SFC Central Bankruptcy PO Box 1893 Spartanburg, SC 29304-1893
Speedy/Rapid Cash P.O. Box 780408 Wichita, KS 67278-0408
SPRINGLEAF FINANCIAL SERVICES P O BOX 3251 EVANSVILLE IN 47731-3251
Springleaf Financial Svcs Attn.: Officer, Manager or Agent 7078 Charlotte Pk Ste 13 Nashville TN 37209-4210
St Thomas Health c/o Rev-1 Solutions LLC 517 US Hwy 31N Greenwood IN 46142-3932
Synergy Real Estate Group c/o Dick Krebs 179 Belle Forest Circle Ste 302 Nashville TN 37221-2111
Tennessee Quick Cash, Inc. 799 West Main Street Hendersonville, TN 37075-2157
Tennessee Title Loans, Inc. Attn.: Officer, Manager or Agent 5800 Charlotte Pk Nashville TN 37209-3102
TMX FINANCE LLC FORMERLY TITLMAX 15 BULL STREET SUITE 200 SAVANNAH GA 31401-2686
US BANK PO BOX 5229 CINCINNATI OH 45201-5229
Urology Associates PC Attn.: Officer, Manager or Agent 720 Cool Springs Blvd Ste 500 Franklin TN 37067-7259
KENNETH EARLE JOHNSON PO Box 210802 Nashville, TN 37221-0802

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Judge Marian F. Harrison

ORDER GRANTING MOTION TO SUSPEND PAYMENTS AND REFUND FUNDS TO DEBTOR

It appearing that 21 days have passed, and no objection to debtor's motion to suspend payments and refund funds to the debtor having been filed, this motion should be granted;

It is therefore ORDERED that debtor's bankruptcy payments are suspended during the months of October, November, and December 2017. Payments shall resume beginning January 2018. All funds received and/or held by the Trustee during the suspension period shall be refunded to debtor, except those funds necessary to pay any ongoing child support claim. Disbursements on all other claims shall cease during the suspension period. All other plan terms shall remain unchanged.

This order was signed and entered electronically as indicated at the top of the first page.

Approved for entry:

/s/ Rabin P. Nimmo

RABIN P. NIMMO

Attorney for Debtor

6920 Harpeth Glen Trace

Nashville, TN 37221

615-244-2244

615-256-4322 (fax)

rabinnimmo@nimmolaw.com